

S/10/743,507

10743507 - GAP:62763

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert J. Sweeney et al. Examiner: Matthew F. DeSanto
Serial No.: 10/743,507 Group Art Unit: 3763
Filed: December 22, 2003 Docket: 279.238US2
Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
Serial No.: 10/43,507
Filing Date: December 22, 2003
Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

Page 2
Dkt: 279.238US2

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

ROBERT J. SWEENEY ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(847) 432-7302

Date 8-10-05

By J. Kevin Parker
J. Kevin Parker
Reg. No. 33,024

CERTIFICATE UNDER 37 CFR 1.8. The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10th day of August, 2005.

JAMES KAVYKIS
Name

James Kavysik
Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert J. Sweeney et al.
Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE
Docket No.: 279.238US2 Serial No.: 10/743,507
Filed: December 22, 2003 Due Date: N/A
Examiner: Matthew F. DeSanto Group Art Unit: 3763

MS Amendment

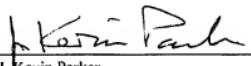
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

Return postcard.
 Communication Concerning Related Applications (2 pgs.).
 Information Disclosure Statement (2 pgs.), Form 1449 (6 pgs.), and copies of 16 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

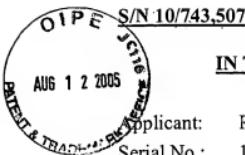
By: 
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Name

JAMES KANYUSIK
(GENERAL)


Signature

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert J. Sweeney et al. Examiner: Matthew F. DeSanto
Serial No.: 10/743,507 Group Art Unit: 3763
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Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

Serial/Patent No.	Filing Date/Issue Date	Attorney Docket	Title
09/740129 6,689,117	December 18, 2000	279.238US1	DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE
10/645,823 2005/0043675A1	August 21, 2003	279.606US1	METHOD AND APPARATUS FOR MODULATING CELLULAR METABOLISM DURING POST- ISCHEMIA OR HEART FAILURE

COMMUNICATION CONCERNING RELATED APPLICATIONS
Serial Number: 10/743,507
Filing Date: December 22, 2003
Title: DRUG DELIVERY SYSTEM FOR IMPLANTABLE MEDICAL DEVICE

Page 2
Dkt: 279,238US2

10/742,574
2005/0137626A1

December 19, 2003

279.626US1

DRUG DELIVERY SYSTEM AND
METHOD EMPLOYING EXTERNAL
DRUG DELIVERY DEVICE IN
CONJUNCTION WITH COMPUTER
NETWORK

Continuations and divisionals may be later filed on the cases listed above, or cited to the Examiner in any previous Communication Concerning Related Applications. Applicants request that the Examiner review all continuations and divisionals of the above-listed or previously-cited patent applications before allowing the claims of the present patent application.

Respectfully submitted,

ROBERT J. SWEENEY ET AL.

By Applicants' Representatives,

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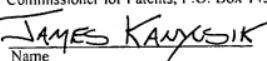
Date 8-10-05

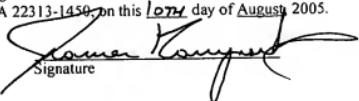
By



Kevin Parker
Reg. No. 33,024

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Name


Signature

AUG 17 2005

PFTO/USPTO (0101)
Approved for use through 10/22/2007 GPO: 2007-172
US Patent & Trademark Office, U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known	
Application Number	10/743,507
Filing Date	December 22, 2003
First Named Inventor	Sweeney, Robert
Group Art Unit	3763
Examiner Name	DeSanto, Matthew

Sheet 1 of 6

Attorney Docket No: 279.238US2

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2002/0026228 A1	02/28/2002	Schauerte, P.	11/30/2000
	US-2002/0031827 A1	03/14/2002	Kanno, S., et al.	05/15/2001
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	US-2004/0059391 A1	03/25/2004	Sweeney, R. J., et al.	09/26/2003
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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to

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Sheet 2 of 6

Attorney Docket No: 279.238US2

US-2004/0093034 A1	05/13/2004	Girouard, Steven D., et al.	11/12/2002
US-2005/0043675 A1	02/24/2005	Pastore, J. M., et al.	08/21/2003
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EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP-809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to:

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Complete if Known	
Application Number	10/743,507
Filing Date	December 22, 2003
First Named Inventor	Sweeney, Robert
Group Art Unit	3763
Examiner Name	DeSanto, Matthew

Sheet 3 of 6

Attorney Docket No: 279.238US2

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EXAMINER

DATE CONSIDERED

- EXAMINER: Initial if reference considers whether or not claim is in compliance with MPEP 608. Drawn from claim 1, if not in compliance and not considered. Include copy of this form with next communication to the examiner.

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**INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT**
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Complete if Known	
Application Number	10/743,507
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First Named Inventor	Sweeney, Robert
Group Art Unit	3763
Examiner Name	DeSanto, Matthew

Sheet 4 of 6

Attorney Docket No: 279.238US2

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US-6,285,898	09/04/2001	Ben-Haim, S	07/07/1998

EXAMINER

DATE CONSIDERED

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 601-520-1223 (703) 231-7300. Designation of primary examiner: _____

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Sheet 5 of 6

Attorney Docket No: 279.238US2

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Sheet 6 of 6	
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